

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
ALL CASES

ORDER

No opposition to the PSC Motion for Appointment of Special Master (Rec. Doc. 14323) has been filed or received by the Court. Thus,

IT IS ORDERED that the **PSC Motion for Appointment of Special Master (Rec. Doc. 14323)** is **GRANTED**.

IT IS FURTHER ORDERED that Daniel J. Balhoff be appointed as Special Master herein, pursuant to Rule 53 of the Federal Rules of Civil Procedure; and

IT IS FURTHER ORDERED that the Special Master shall be responsible for, and shall develop and implement a protocol for the allocation of the settlement fund resulting from the PSC/Fleetwood settlement herein;

IT IS FURTHER ORDERED that the Special Master shall be responsible for, and shall have the authority to engage appropriate support personnel to assist in the development and implementation of, a protocol for the allocation of the settlement fund resulting from the

PSC/Fleetwood settlement herein;

IT IS FURTHER ORDERED that the Special Master may communicate *ex parte* with the Court, with the attorneys, or with the parties, without providing notice to the attorneys or the parties;

IT IS FURTHER ORDERED that the Special Master may submit to the Court periodic reports with respect to the administration and management of the Fleetwood settlement allocation activities;

IT IS FURTHER ORDERED that the Special Master shall be empowered to make recommendations regarding the amounts to be allocated to claimants in connection with the referenced settlement, which recommendations shall be subject to review by this Court but without further recourse on appeal, pursuant to the terms and conditions of the parties' settlement agreement;

IT IS FURTHER ORDERED that all allocation decisions and recommendations rendered by the Special Master shall be in writing and shall be made of record;

IT IS FURTHER ORDERED that the Special Master shall maintain those records upon which he bases his recommendations at his office, which is located at 2141 Quail Run Drive, Baton Rouge, LA, and shall make those records available for inspection by the attorneys upon reasonable advance notice;

IT IS FURTHER ORDERED that the Special Master shall be invested with all powers incidental to the accomplishment of his duties as outlined above;

IT IS FURTHER ORDERED that the Special Master shall proceed with all reasonable diligence in accomplishing the above; and

IT IS FINALLY ORDERED that the Special Master and his staff shall be compensated from the settlement fund at the following rates: Special Master Daniel J. Balhoff: \$250 per hour; Deputy Special Master Randi S. Ellis: \$225 per hour; paralegals: \$75 per hour, all of which charges shall be billed on a monthly basis against the settlement escrow account which the parties have agreed to establish at Iberia Bank, 601 Poydras Street, New Orleans, Louisiana.

New Orleans, Louisiana, this 11th day of June, 2010.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE